

1 CLEMENT SETH ROBERTS (STATE BAR NO. 209203)
croberts@orrick.com
2 ALYSSA CARIDIS (STATE BAR NO. 260103)
acaridis@orrick.com
3 EVAN D. BREWER (STATE BAR NO. 304411)
ebrewer@orrick.com
4 ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
5 405 Howard Street
San Francisco, CA 94105-2669
6 Telephone: +1 415 773 5700
Facsimile: +1 415 773 5759
7
8 GEORGE I. LEE (*pro hac vice*)
lee@ls3ip.com
9 SEAN M. SULLIVAN (*pro hac vice*)
sullivan@ls3ip.com
10 COLE B. RICHTER (*pro hac vice*)
richter@ls3ip.com
11 RORY P. SHEA (*pro hac vice*)
shea@ls3ip.com
12 J. DAN SMITH (*pro hac vice*)
smith@ls3ip.com
13 LEE SULLIVAN SHEA & SMITH LLP
656 W Randolph St., Floor 5W
Chicago, IL 60661
14 Telephone: +1 312 754 0002
Facsimile: +1 312 754 0003
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16 *Attorneys for Defendant Sonos, Inc.*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOOGLE LLC,
Plaintiff,
v.
SONOS, INC.,
Defendant.

Case No. 3:20-cv-06754-WHA

**DECLARATION OF COLE B.
RICHTER IN SUPPORT OF
GOOGLE'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED (DKT. 124)**

1 I, Cole B. Richter, declare as follows and would so testify under oath if called upon to do
 2 so:

3 1. I am an attorney with the law firm of Lee Sullivan Shea & Smith LLP, counsel of
 4 record to Sonos, Inc. (“Sonos”) in the above-captioned matter. I am a member in good standing of
 5 the Bar of the State of Illinois. I have been admitted *pro hac vice* in this matter. I make this
 6 declaration based on my personal knowledge, unless otherwise noted. If called, I can and will
 7 testify competently to the matters set forth herein.

8 2. I make this declaration in support of Google’s Administrative Motion to Consider
 9 Whether Another Party’s Material Should be Sealed filed on February 4, 2022 (Dkt. 124), in
 10 connection with Google’s Second Amended Complaint (“Google’s SAC”).

11 3. Sonos seeks an order sealing the materials as listed below:

Document	Portions Google Sought to Be Filed Under Seal	Portions Sonos Seeks to Be Filed Under Seal	Designating Party
Google’s SAC	Portions highlighted in yellow	Same portions highlighted in yellow and submitted by Google	Sonos
Exhibit 2 to Google’s SAC	Entire document	Entire document	Sonos
Exhibit 3 to Google’s SAC	Entire document	Entire document	Sonos
Exhibit 4 to Google’s SAC	Entire document	Entire document	Sonos
Exhibit 5 to Google’s SAC	Entire document	Entire document	Sonos
Exhibit 6 to Google’s SAC	Entire document	Entire document	Sonos

21 4. The portions of Google’s SAC highlighted in yellow and Exhibits 2 and 3
 22 reference Sonos’s confidential business information and include confidential business agreements
 23 that are not public. Public disclosure of this information would harm Sonos’s competitive
 24 standing and its ability to negotiate future business agreements because it would give competitors
 25 access to Sonos’s confidential business strategies. If such information were made public, I
 26 understand that Sonos’s competitive standing would be significantly harmed. A less restrictive
 27 alternative than sealing the highlighted portions would not be sufficient because the information

1 sought to be sealed is Sonos's confidential business information and Google contends that this
 2 information is "necessary to the claims in Google's SAC." *See* Declaration of Lindsay Cooper in
 3 Support of Google's Administrative Motion to File Under Seal Portions of Its Second Amended
 4 Complaint ¶ 3 (Dkt. 123-2).

5. Additionally, Exhibits 4, 5, and 6 reference Sonos's confidential business
 6 information and trade secrets, including details regarding the source code, architecture, and
 7 technical operation of various products. The specifics of how these functionalities operate is
 8 confidential information that Sonos does not share publicly. Thus, public disclosure of such
 9 information may lead to competitive harm as Sonos's competitors could use these details
 10 regarding the architecture and functionality of these products to gain a competitive advantage in
 11 the marketplace with respect to their competing products. A less restrictive alternative than
 12 sealing Exhibits 4, 5, and 6 would not be sufficient because the information sought to be sealed is
 13 Sonos's confidential business information and trade secrets and Google contends that this
 14 information is "integral to Google's claims in the SAC." *See id.* ¶ 4 (Dkt. 123-2).

15 I declare under penalty of perjury that the foregoing is true and correct to the best of my
 16 knowledge. Executed this 11th day of February, 2022 in Chicago, Illinois.

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 /s/ *Cole B. Richter*
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